



12-06-02

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Practitioner's Docket No. 67114/99-156

PATENT

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Paul David MOONEY

Application No.: 09/477,572  
Filed: 01/04/2000  
Confirmation No.: 9431  
For: CATHETER INCLUDING TEXTURED INTERFACE

Group No.: 3763  
Examiner: Manuel A. Mendez

Commissioner for Patents  
Washington, D.C. 20231

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DEC 10 2002

TECHNOLOGY CENTER R3700

**NOTICE OF APPEAL FROM THE PRIMARY EXAMINER  
TO THE BOARD OF PATENT APPEALS AND INTERFERENCES  
(37 C.F.R. § 1.191)**

Applicant hereby appeals to the Board from the decision of the Primary Examiner, mailed June 5, 2002, finally rejecting claims 1, 5-8 and 10-18.

**1. STATUS OF APPLICANT**

This application is on behalf of a small entity. A statement was already filed on January 4, 2000.

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**CERTIFICATION UNDER 37 C.F.R. §§ 1.8(a) and 1.10\***  
(When using Express Mail, the Express Mail label number is **mandatory**;  
**Express Mail certification is optional.**)

I hereby certify that, on the date shown below, this correspondence is being:

**MAILING**

- deposited with the United States Postal Service in an envelope addressed to the Commissioner for Patents, Washington D.C. 20231  
37 C.F.R. § 1.8(a)  
 with sufficient postage as first class mail.

37 C.F.R. § 1.10\*

- as "Express Mail Post Office to Addressee"  
Mailing Label No. EV132686870US (mandatory).

**TRANSMISSION**

facsimile transmitted to the Patent and Trademark Office, (703) \_\_\_\_\_  
12/09/2002 AWONDAF1 00000071 09477572

01 FC:2401 160.00 OP  
02 FC:2253 460.00 OP  
Date: December 5, 2002

Signature

SCOTT R. ZINGERMAN

(type or print name of person certifying)

\* Only the date of filing (§ 1.6) will be the date used in a patent term adjustment calculation, although the date on any certificate of mailing or transmission under § 1.8 continues to be taken into account in determining timeliness. See § 1.703(f). Consider "Express Mail Post Office to Addressee" (§ 1.10) or facsimile transmission (§ 1.6(d)) for the reply to be accorded the earliest possible filing date for patent term adjustment calculations.

## **2. FEE FOR FILING NOTICE OF APPEAL**

Pursuant to 37 C.F.R. § 1.17(b), the fee for filing the Appeal Brief is:

|              |          |
|--------------|----------|
| Small entity | \$160.00 |
|--------------|----------|

|                          |          |
|--------------------------|----------|
| Notice of Appeal fee due | \$160.00 |
|--------------------------|----------|

## **3. EXTENSION OF TERM**

The proceedings herein are for a patent application and the provisions of 37 C.F.R. 1.136 apply.

Applicant petitions for an extension of time under 37 C.F.R. 1.136 (fees: 37 C.F.R. 1.17(a)(1)-(4)) for three months:

|     |          |
|-----|----------|
| Fee | \$460.00 |
|-----|----------|

If an additional extension of time is required, please consider this a petition therefor.

## **4. TOTAL FEE DUE**

The total fee due is:

|                      |          |
|----------------------|----------|
| Notice of Appeal fee | \$160.00 |
| Extension fee        | \$460.00 |

**TOTAL FEE DUE \$620.00**

## **5. FEE PAYMENT**

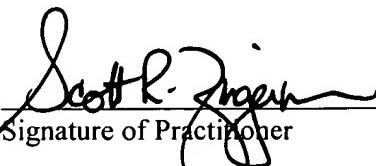
Attached is a check in the amount of \$620.00.

A duplicate of this transmittal is attached.

## **6. FEE DEFICIENCY**

If any additional extension and/or fee is required, and if any additional fee for claims is required, charge Deposit Account No. 06-0540.

Date: December 5, 2002

  
\_\_\_\_\_  
Signature of Practitioner

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